

MANSFIELD TOWNSHIP COMMITTEE MEETING

March 11, 2020

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star Gazette and Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Salute to the flag was done by all.

APPROVAL OF THE MINUTES

Mrs. Mora Dillon made a motion to approve the minutes from the Regular Session held on February 26, 2020, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Absent

Abstain: None

Mrs. Mora Dillon made a motion to approve the minutes from the Executive Session held on February 26, 2020, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Absent

Abstain: None

BILL LIST

Mrs. Mora Dillon made a motion to approve the March 11, 1010 Bill List, which was seconded by Mr. McGuinness.

Mayor Watters asked about all of the parts' returns to Smith Motors. Mr. Snyder explained most were Core Charges; he will let the Committee know tomorrow what the others are.

Ayes: Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Absent

Abstain: Mr. Farino

CLERK'S REPORT

Ms. Hrebenak reported:

- Lawnmowing RFP – is available. Four companies have picked up copies.
- OEM Deputy Email – OEM requested an email be assigned to the Deputy OEM – granted.
- Coronavirus Information – Mayor Watters asked that the Township website list the contact information for those who need it – granted.

FINANCE REPORT

Mrs. Mollineaux stated that she received the budget draft from the auditor. After some changes, she would like to review and then present to the Township Committee prior to introduction. Introduction can be the first meeting in April.

EMPLOYEES' REPORTS

Town-Wide Yard Sale – Mrs. Fascenelli stated that the Green Team would like to host a Town-wide Yard Sale to be held on May 29, 30, and 31. They would also like to host something special this year with an Indoor Flea Market at the Department of Public Works building on Saturday, May 30th. Mr. Snyder believes there will be room for about 30 tables inside the garage. The Team will ask for a donation of \$5 for a table. There have been several resident requests for a central location for those who don't want to have it at their homes or only have a few items.

Mrs. Mora Dillon made a motion to approve the Indoor Flea Market on Saturday, May 30th at the Department of Public Works, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

In-REM – Mrs. Fascenelli has been dealing with the In-REM attorneys. There are 23 properties and the ad will go into the newspaper next week. After the ad is placed for 45 days, on the 46th day, the final paperwork will be started that should take 4 – 6 weeks. Everything could be tied up by June.

45 Mitchell Road – Mayor Watters asked if any other information was available; Mrs. Fascenelli stated it is USDA. If Committee is satisfied with taxes, no need to look further.

Trex Bench – Mrs. Mora Dillon suggested showcasing the bench we received at the Flea Market.

ENGINEER'S REPORT

Grants – Mr. Kastrud hoped to close out two old grants within the next few weeks to a month. He was at a meeting with the DOT and now has two names to contact about closing them out.

- Airport Road - first grant to be addressed which will have to be a design bid—not construction—but must be awarded this year. Mrs. Mollineaux has those numbers in the budget.
- Janes Chapel Road – addressed next year. It is a long road that will be expensive and only received \$112,500. Mr. Kastrud has a DOT contact to find out if we can phase it – didn't apply for it to be phased, but will need to unless the Township has \$300,000 to pay for it.

Mayor Watters stated that Mr. Grover from Liberty Township applied several times for the same grant since the money they received was so small. Mr. Kastrud hasn't heard of that, he has applied for phase grants making applications specific for each phase. Ms. Hrebenak will give Mr. Kastrud Mr. Grover's contact information tomorrow.

Road Inventory & Stormwater – Mr. Kastrud will coordinator with Mr. Snyder.

Tax Maps – ongoing.

Stormwater Report – Mr. Kastrud has begun the report, due May 2nd.

PUBLIC PORTION

Mayor Watters opened the public portion of the meeting; seeing none, closed the public portion.

RESOLUTIONS

RESOLUTION 2020-59

RESOLUTION APPOINTMENT OF SUBSTITUTE MUNICIPAL PROSECUTORS

WHEREAS, the position of Municipal Prosecutor is filled by persons providing services; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey as follows:

Chris Troxell, Richard Ralph, Steve Siegel, and James Janci be appointed as Substitute Municipal Prosecutors for the year 2020.

Mrs. Mora Dillon made a motion to approve Resolution 2020-59, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

RESOLUTION # 2020 - 60 LIEN REDEMPTION TOWNSHIP OF MANSFIELD WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 11th day of March, 2020 that payment is to be made to the certificate holder as noted:

Block	Lot	Address	Lienholder	Cert #	Total Refunded
1301	3.06	50 Thomas Road	FNA DZ, LLC 120 N. Lasalle Street Suite 1220 Chicago, IL 60602	19-00016	\$ 9,679.25 Lien \$27,900.00 Premium

Mrs. Mora Dillon made a motion to approve Resolution 2020-60, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

RESOLUTION 2020-61

TOWNSHIP OF MANSFIELD WARREN COUNTY, NEW JERSEY

WHEREAS, annual school elections held in the Township of Mansfield are conducted in November simultaneously with the general election, with voting on school budgets limited to requests for additional funds pursuant to N.J.S. 19:60-1.1(a)1 and 18A:7F-5; and

WHEREAS, more than four such annual school elections have been conducted since the date was changed from April to November, and based on its review of public participation and public input into the school budget process, the Mansfield Township Committee believes it to be in the best interest of Mansfield Township residents to return the date of annual school elections to April, thereby allowing the voters the ability to vote on the district's general fund tax levy for the budget year pursuant to N.J.S. 19:60-1.1(b); and

WHEREAS, in order to effect such a change, the Township Committee is statutorily obliged to give to the Township Board of Education sufficient notice of a hearing to be held by the Township Committee on the question.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, and State of New Jersey as follows:

- The Township Clerk shall give written notice in the form of this Resolution to the Mansfield Township Board of Education that the Township Committee shall consider enacting a Resolution returning the date of the annual school election from November to April in a hearing to be conducted at the next meeting of the Township Committee on

March 25, 2020.

Mrs. Mora Dillon made a motion to approve Resolution 2020-61, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

RESOLUTION 2020-62

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND
POSITIONS FOR THE YEAR 2020:

BE IT RESOLVED, that the following persons be and each is hereby appointed for the unexpired term commencing February 12, 2020 to the following respective municipal offices and/or positions of the Township of Mansfield:

Emergency Management Coordinator	Peter Hannah	Term Expires 2/12/2023
Deputy Emergency Management Coordinator	Nicholas Moorehead	Term Expires 02/12/2023
Deputy Emergency Management Coordinator	Robert Griffith	Term Expires 02/12/2023

Mrs. Mora Dillon made a motion to approve Resolution 2020-62, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

ORDINANCES

First Reading

ORDINANCE 2020-01

**TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 240 OF THE TOWNSHIP CODE
TO PROHIBIT CERTAIN NUISANCES**

ARTICLE 1. NUISANCE PROHIBITED

240-1 Statement of purpose

The purpose of this article shall be to promote the general health, welfare, and safety of the Township of Mansfield and the inhabitants thereof by prescribing certain practices and hazards which are, or maybe, nuisances and to permit the appropriate authorities to take appropriate steps to control the practices herein prescribed.

240-2 Nuisances enumerated

The following matters, things, conditions or acts, and each of them are hereby declared to be a nuisance and injurious to the health, safety, or welfare of the inhabitants of the Township of Mansfield:

A. Noise Prohibited.

- It shall be unlawful for a person to make, continue or cause to be made or continued any loud, unnecessary or unusual noise or any noise which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.
- Without intending to limit the generality of Subsection A(1), the following acts are hereby declared to be examples of loud, disturbing, and unnecessary noise in violation of this section:
 - *Radios; Televisions; Phonographs.* The playing, use or operation of any radio receiving set, television, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of neighboring inhabitants or with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which the machine or device is operated and who are voluntary listeners. The operation of such a set, instrument, phonograph, machine or device so that it is clearly audible at a distance of one hundred (100') feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.
 - *Yelling; Shouting.* Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m., or at any time or place, which annoys or disturbs the quiet, comfort or repose of persons in any office, dwelling, hotel, motel or other type of residence or of any persons in the vicinity.

- *Animals; Birds.* The keeping of animals or birds which, by causing frequent or long-continued noise, disturbs the comfort or repose of any person in the vicinity; but nothing herein contained is intended to apply to a dog pound or kennel licensed in accordance with Section 123-9 of these ordinances.
- *Horns.* The sounding of a horn or warning device on an automobile, motorcycle, bus or other vehicle except when required by law, or when necessary to give timely warning of the approach of the vehicle, or as a warning of impending danger or persons driving other vehicles or to persons on the street. No person shall sound a horn or warning device on an automobile, motorcycle, bus or other vehicle which emits an unreasonably loud or harsh sound, or for an unnecessary or unreasonable period of time.

B. Any act, matter, thing, or condition which is or may become detrimental or a menace to the health of the inhabitants of the Township of Mansfield or which is or may become an annoyance or interfere with the comfort or general well-being of the inhabitants of the Township of Mansfield.

256.3 Penalties.

Chapter 1, Article III, Section 1-17 hereof, penalty shall apply.

Mrs. Mora Dillon made a motion to approve the introduction of Ordinance 2020-01 with a second reading on April 08, 2020, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

First Reading

2020-02
TOWNSHIP OF MANSFIELD COUNTY OF WARREN STATE OF NEW JERSEY ORDINANCE
AN ORDINANCE TO AMEND CHAPTER 329 OF THE CODE OF THE TOWNSHIP OF
MANSFIELD

WHEREAS, the Township Committee has conducted a review of the Township Code and of the Codes of other municipalities related to the traffic controls for street and highway construction and maintenance; and

WHEREAS, the Township Committee has determined that it is necessary to amend the Code to address this public safety concern; and

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that Chapter 329 entitled "Vehicles and Traffic" of the Code of the Township of Mansfield be and is hereby amended as follows:

SECTION 1. Chapter 329 "Vehicles and Traffic" shall be amended to include a new section to read as follows: §329 Traffic controls for street and highway construction and maintenance operations.

A. Adoption of Manual on Uniform Traffic Control Devices for streets and highways.

(1) The Township Committee hereby finds and declares that problems of traffic control occur when traffic must be moved through or around street construction, maintenance operations and utility work above and below ground which requires blocking the roadway and obstructing the normal flow of traffic; and that such obstructions are or can become dangerous when not properly controlled. In order to better promote the public health, safety, peace and welfare, it is necessary to establish controls and regulations directed to the safe and expeditious movement of traffic through construction and maintenance zones and to provide safety for the work force performing these operations.

(2) The Township of Mansfield in the County of Warren and State of New Jersey does hereby adopt the current Manual of Uniform Traffic Control Devices, hereafter known as MUTCD, except as hereby supplemented and amended, as it controls and regulates whenever construction maintenance operations or utility work obstructs the normal flow of traffic. Any person, contractor, or utility who fails to comply with the provisions of MUTCD while performing such work is in violation of this section.

B. Preconstruction meetings.

(1) It shall be the responsibility of the person, contractor, or in the case of a public utility as required under the public utility agreement, wishing to conduct work on, under or above the roadway to contact the Administrative Division of the Township of Mansfield Police Department in order to arrange a preconstruction meeting to submit plans for the safe movement of traffic during such period of construction work. Preconstruction meetings must be scheduled far enough in advance (a minimum of two weeks) of the desired start date so as to allow for efficient planning.

(2) Any person, contractor or utility who fails to comply with this section prior to the start of such work or whose plans are not approved by the Township of Mansfield Police Department is in violation of this section.

C. Hazardous conditions. The person, contractor or utility shall provide the Township of Mansfield Police Department with at least two (2) emergency contact phone numbers to be called in case of emergency problems at the construction or maintenance site prior to the start of any work. If for any reason the emergency contact cannot be reached, or if the emergency contact person does not respond in a timely manner to the call from the Police Department to correct a hazardous condition, the Township may respond to correct such

hazardous conditions. The reasonable fees for such emergency service by the Township shall be charged to the person, contractor or utility responsible for such conditions.

D. Hours. There shall be no construction, maintenance operations or utility work on any roadway in the Township before the hour of 9:00 a.m. or after 3:30 p.m. This time limit may be adjusted to permit work prior to 9:00 a.m. or after 3:30 p.m. by the Chief of the Township of Mansfield Police Department if it is determined by that officer that the construction or maintenance operations prior to 9:00 a.m. or after 3:30 p.m. would not substantially delay traffic or cause a safety or health hazard.

E. Road closing and detours. Road closing and/or traffic detours shall not be permitted unless approved by the Chief of the Township of Mansfield Police Department. Advance notice of detours must be given to motorists, except in emergent circumstances.

F. Traffic directors. Any person, contractor, or in the case of a public utility as required under the public utility agreement (other than municipal, county or state employees), wishing to conduct work on, above or under on any and all roads in the Township of Mansfield; is working within 200 feet of an intersection of any road within the Township; is working in the vicinity of specific geographic features (e.g., sharp curves, alongside of rivers, steep embankments, etc.); is working within 1,000 feet of a Township of Mansfield Board of Education property; and/or diverts or interrupts motor vehicle or pedestrian traffic flow shall be required to hire off-duty Township of Mansfield police officers or traffic directors to ensure compliance with the MUTCD as well as to control traffic traveling through the work zone. The Administrative Division of the Township of Mansfield Police Department shall be contacted at least 48 hours before starting work to arrange for the hiring of off-duty officers if needed. The number of officers or traffic directors required shall be determined by the Township of Mansfield Police Department and approved by the Chief. For all work on township roads, traffic control shall be by off-duty Township of Mansfield police officers. The requirement to hire off-duty officers for work on, above, below, or adjacent to the township roads shall only apply to work that will take in excess of one hour to complete. All work on, above, below, or adjacent to and/or all of the roads in the Township of Mansfield taking less than one hour, may be controlled with traffic directors, unless off duty Township of Mansfield police officers are deemed necessary by the Police Department and approved by the Chief. All civilian flagmen must wear lime green glow-type traffic vests and must be educated as to the proper operation of traffic flag controls. If flagmen cannot see each other, they must have walkie-talkie communication between them. In the event that work requires any road to be closed to traffic 24 hours a day, the hiring of off-duty Township of Mansfield police officers will be required when it is deemed necessary by the Police Department and approved by the Chief.

G. Stop work. The Police Department shall have the authority to stop work, including the removal of equipment and vehicles, stored material within the street right-of-way, backfilling of open excavations and/or other related work, in order to abate any nuisance and/or safety hazard or for any violation of this section.

H. Site preparation and maintenance. It is to be expressly understood that no materials, vehicles or equipment are to be placed in roadway or sidewalk area until all construction, signs, lights, devices and pavement markings are installed. All construction signs which do

not currently apply must be bagged or removed from view of the motorists (i.e., Flagman Ahead signs after workmen have finished for the day).

I. Violations and penalties.

(1) Any person, contractor or utility who commits a violation of this section shall, upon conviction thereof, for a first offense pay a fine of not less than \$100 nor more than \$500 and/or be imprisoned in the county jail for a term not exceeding 90 days; for a second offense, upon conviction thereof, pay a fine of not less than \$250 and/or be imprisoned in the county jail for a term not exceeding 90 days.

(2) A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 2. All ordinances or parts of ordinances of the Township of Mansfield inconsistent herewith are repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

SECTION 4. This law shall take effect immediately upon final passage, approval and publication as required by law.

Mr. Farino made a motion to approve the introduction of Ordinance 2020-02 with a second reading on April 08, 2020, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

Overnight Parking Ordinance Repeal - Mrs. Mora Dillon asked about an ordinance to repeal overnight parking that was in the packet. Mayor Watters suggested a way to inform the public about the change would be to include it in the newsletter that goes out with the taxes in August. Ms. Hrebenak stated the ordinance will be ready for the next meeting.

ORDINANCE NO. 2020-03

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE TOWNSHIP
CODE TO TRUCKS OVER FOUR (4) TONS REGISTERED GROSS WEIGHT FROM
WASHBURN ROAD**

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, as follows:

SECTION 1. Section 329-10 of the “Code of the Township of Mansfield is hereby amended by adding thereto in alphabetical order the following NEW additional designations and shall read as follows:

A. Trucks over four (4) tons registered weight are hereby excluded from the following described part of street, except for the pick-up and delivery of materials on such part of street:

1. Washburn Road
2. Snyder Road

The effectiveness of this ordinance contingent upon signs being erected as required by N.J.S.A 39:4-198.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

Mrs. Mora Dillon made a motion to approve the introduction of Ordinance 2020-03 with an adoption date of April 08, 2020, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

EXECUTIVE SESSION

Mr. Lavery stated the Executive Session discussion will include a contractual matter concerning a tree removal and a DPW personnel matter.

Mrs. Mora Dillon made a motion to move into Executive Session at 8:00 pm, which was seconded

by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

Return from Executive Session at 8:40pm.

Roll Call: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Mr. Lavery stated the return from Executive Session at 8:40 pm where the following was discussed:

- Contractual matter dealing with a tree removal
- Personnel matter dealing with the DPW
- Contractual matter dealing with a proposal from Great Meadows Design for the HVAC system

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Lavery stated a motion was needed to authorize Committeewoman Mrs. Mora Dillon to make the offer as discussed in Executive.

Mr. McGuinness made a motion to authorize Committeewoman Mrs. Mora Dillon to make the offer that was discussed in Executive Session, which was seconded by Mr. Farino.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

Mrs. Mora Dillon made a motion to approve Tom Staada as Field Hockey Coordinator for the Recreation Department, which was seconded by Mr. McGuinness.

Ayes: Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Nays: None

Absent: Mr. Hayes

Abstain: None

Mrs. Mora Dillon made a motion to adjourn at 8:43pm.